* ZONING COMMISSIONER * OF BALTIMORE COUNTY

7th Election District 3rd Councilmanic District Hereford Volunteer Ambulance Association, Inc. Petitioner

The Petitioner herein, pursuant to the Petition for Special Hearing, requests the approval of a 40 imes 60 ft. expansion of the existing structure and the amendment of the site plan approved in case 85-149-X, as more particularly described on Petitioner's Exhibit No. 1.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* CASE # 91-346-SPH

The Petitioner, by Charles A. Jednorski, President of the Petitioner's Association, appeared, testified and was represented by J. Neil Lanzi, Esquire. Appearing and testifying on behalf of the Petition was Paul W. Madigan, Contractor. Appearing and testifying as a Protestant was Thomas E. Goode.

Testimony indicated that the Petitioner is desirous of constructing a $40 imes 60 ext{ ft. addition to the existing structure, as indicated on Petition$ er's Exhibit No. 1.

Testimony indicated that the area serviced by the subject volunteer ambulance association is expanding rapidly and Petitioner is in need of additional space to conduct training.

Paul Madigan, Contractor, testified that the contour of the building and the materials used will match the contour and materials of the existing building. Testimony also indicated that the subject site meets all of the parking and setback requirements of the B.C.Z.R.

Mr. Thomas Goode, an adjoining property owner, indicated that his home is located approximately 400 ft. from the common boundary line, as indicated on Petitioner's Exhibit No. 4. Mr. Goode testified that, on occasion, the public address system has been left on during the early morning hours which can be heard at the Protestant's home. Mr. Goode made a request that the public address system system be turned off during the late night and early morning hours. Mr. Goode also requested additional screening along the common boundary line. He also requested that the junk vehicles that are used on the site for rescue training be removed upon completion of the exercises and not be left on the site for indefinite periods of time.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irre spective of its location within the zone. Schultz v. Pritts, 432 A2d 1319 (1981).

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing relief should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this day of Mil, 1991, that, pursuant to the Petition for Special Hearing, approval of a 40 x 60 ft. expansion of the existing structure, is hereby GRANTED; and,

IT IS FURTHER ORDERED that the amendment of the site plan approved in case 85-149-X, is hereby GRANTED, subject, however, to the restrictions set forth below which are conditions precedent to the relief granted herein:

> 1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk luntil such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. All disabled vehicles on the subject site which have been utilized for training exercises shall be removed from the subject site within thirty (30) days of the subject training exercises.

3. The Petitioner shall comply with all requirements and conditions set forth in Maryland Dept. of Transportation State Highway Administration's correspondence to the Zoning Commissioner dated March 12, 1991 attached hereto.

> Zoning Commissioner for Baltimore County

cc: Peoples Counsel

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

May 17, 1991

Charles A. Jednorski, Esquire J. Neil Lanzi, Esquire Seiland and Jednorski, P.A. 25 West Chesapeake Avenue Towson, Maryland 21204

> RE: Petition for Special Hearing Hereford Volunteer Ambulance Assoc., Inc., Petitioner Case #91-346-SPH

Dear Mr. Jednorski:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Zoning Commissioner for Baltimore County

> > Acrount: P 001 6150

JRH:mmn

FYTHE Baltimore County

Linear Line Towson, Nacyland 21204

Zoning Commisioner

County Office Bulking

- 111 West Chesapeni e Avenue

cc: Peoples Counsel cc: Mr. Paul W. Madigan, President Madigan Construction Co., Inc.

-3-

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve _____ 40' x 60' expansion of existing structure and the amendment of the

site plan approved in Case #85-149X Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon aling of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Hereford Volunteer Ambulance Association Drong. (Type or Print Name) Signature Charles A. Jednorski, President (Type or Print Name) City and State Attorney for Petitioner: Seiland & Jednorski, P.A. 901 Monkton Road ____887-1935___ J. Neil Lanzi. Baltimore County, Maryland (Type or Print Name) City and State Name, address and phone number of legal owner, con-25 W. Chesapeake Avenue tract purchaser or representative to be contacted Charles A. Jednorski Towson, Maryland --- 21204------City and State 321-8200 25 W. Chesapeake Ave., Attorney's Telephone No.: _321-8200____ Phone No. Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this ______day of ______, 1921, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

J. 100-4 youred

m.K- 2/27/91 est time 45 min avail unytime

ZONING DESCRIPTION

Beginning at a point on the south side of Monkton Road which is an 80'-0" right-of-way width at a distance of 500'-0" east of the center line of Big Falls Road, which is 60'-0" wide. Thence the following courses and distances:

Travel along south right-of-way line of Monkton Road N 79° - 38'-25" E 503.31'. Then S 54° - 15'-31" E 34.67'. Continue S 08° - 09'-27" E 220.39', S 50° - 15'- 17" W 236.13' and S 60° - 11'- 45" W 150.38'. Turn to N 50° 25'-39" W 240.06 and N 10° - 14'-54" W 190'-0" connecting to the starting point. As recorded in Deed Liber 6123, Folio 277.

91-346-SPH



91-346-5PH CERTIFICATE OF POSTING Great Voluntar Sombeling More Inc Location of property: 5/3 Mesh Ton Rd., 500 F/By Folls Rd. cation of Signe forces Monthlooks, intracted to Fr. you have, on

CERTIFICATE OF PUBLICATION

Special Hearing: to appove 40' x 80' expension structure and this amendment of the site plan approved in Case #85-149-X

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of weeks, the first publication appearing on 4-4, 19

TOWSON TIMES,

5. Zele Olmo Publisher

Baltimore County

County Office Building

Zoning Commissioner

11! West Chesapeake Avenue

the second

Please Make Checks Payable To: Baltimore County

111 West Chesapeake Avenue Towson MD 21204

887-3353

Hereford Volunteer Ambulance Association, Inc. 901 Monkton Road Baltimore, Maryland

Case Number: 91-346-SPH S/S Monkton Road, 500' E of c/l Big Falls Road 7th Election District - 3rd Councilmanic Petitioner(s): Hereford Volunteer Ambulance Association, Inc. HEARING: WEDNESDAY, MAY 1, 1991

Dear Petitioner(s):

Please be advised that $\frac{5}{15}$ is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGH & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Source

cc J. Neil Lanzi, Esq.

BALTIMORE COUNTY, MARYLAND

ZONING COMMISSIONER

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

HTI West Chesapeake Avenue - Towson, MD 21204

35 1151

March 18, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Faltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-346-SPH S/S Monkton Road, 500' E of c/l Big Falls Road 7th Election District - 3rd Councilmanic Petitioner(s): Hereford Volunteer Ambulance Association, Inc. HEARING: WEDNESDAY, MAY 1, 1991 at 9:00 a.m.

Special Hearing: To approve 40' x 60' expansion structure and the amendment of the site plan approved in Case #85-149-X.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

cc: Hereford Volunteer Ambulance Association, Inc. J. Neil Lanzi, Esq.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

April 18, 1991

J. Neil Lanzi, Esquire Seiland & Jednorski, P.A. 25 W. Chesapeake Avenue Towson, MD 21204

> RE: Item No. 325, Case No. 91-346-SPH Petitioner: Hereford Volunteer Ambulance Petition for Special Hearing

Dear Mr. Lanzi:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Charles A. Jednorski Hereford Volunteer Ambulance Association 25 W Chesapeake Avenue Towson, MD 21204

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 13th day of March, 1991.

> J. ROBERT HAINES ZONING COMMISSIONER

Petitioner: Hereford Volunteer Ambulance Association

Petitioner's Attorney: J. Neil Lanzi

Maryland Department of Transportation State Highway Administration

O. James Lighthizer Hal Kassoff Administrator

March 12, 1991

Mr J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204 1tt James Dyer

Re: Baltimore County Hereford Volunteer Ambulance Incorporated Zoning Meeting 3/12/9l S/S Monkton Road 500' east of Big Falls Road Item #325

Dear Mr. Haines:

We have reviewed the submittal for a special hearing to approve a $40^{\circ} x 60^{\circ}$ expansion of existing structure and the amendment of the site plan approved in Case No. 85-149-X.

In 1986, when the existing building was constructed, certain highway improvements were required in order to obtain access to Monkton Road.

The required improvements were never constructed. We have enclosed a letter to Honorable Louis L. Goldstein from then Secretary William K. Hellmann. This letter provides two options for access to this property.

Option 1 calls for access to the county road serving the adjacent property.

Option 2 is to provide access onto Monkton Road.

Under option 2, we required the entrance to be paved to a width of 35' and to construct a deceleration lane to serve the entrance.

Also enclosed, is a revised plan showing the required improvements under option 2.

If the entrance onto Monkton Road is to remain, the improvements, as shown on the revised plan, must be constructed under an access permit issued by our office prior to issuance of building permits. Also, if the entrance onto Monkton Road is to remain, we request the plan submitted for zoning be revised to show the required highway improvements.

333-1350 My telephone number is Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D C Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St , Baltimore, Maryland 21203-0717

Mr. J. Robert Haines Page 2 March 12, 1991

If you have any questions, please contact Larry Brocato (333-1350).

Very truly yours.

John Contestabile, Chief Engineering Access Permits

LB/es

enclosure

Hereford Volunteer Ambulance Associates w/enc.

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

Road, 500' E of centerline Big Falls Road, D-7. Private Water and

March 15, 1991

Zoning Commissioner Office of Planning and Zoning

DIVISION OF GROUND WATER MANAGEMENT SUBJECT: Zoning Item #325, Zoning Advisory Committee Meeting of March 12, 1991, Hereford Volunteer Ambulance Association, Inc., S/S Monkton

COMMENTS ARE AS FOLLOWS:

Additional waste water loading may result in the expansion of the existing septic system. For information, contact Mr. Robert Powell at

received

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS DALITIMORE COUNTY, MARYLAND

DATE: March 20, 1991

Mr. J. Robert Haines Zoning Commissioner

Rahee J. Famili SUBJECT: Z.A.C. COMMENTS

Z.A.C. MEETING DATE: March 12, 1991

Dear Mr. Haines:

This office has no comments for items number 286, 325, 329, and 330.

RJF/lvd

received

700 East Joppa Road Suite 901 Towson, MD 21204-5500

MARCE 11, 1991

(301) 887-4500

J. Robert Haines Zoning Commissioner Office of Flanning and Foring Baltimore County Office Fuilding Towson, MD 20204

HE: Frepeity Cuber: EFFEFORD VOLUNTEER AMPULANCE ASSOCIATION, INC.

S/S MONETON ROAD Location:

Foring Agenda: MARCH 12, 1991 Item No.:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The huildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

IJĸŹĸŧĸ

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 11, 1991

FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for March 12, 1991

4

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 286, 325 and 329.

For Item 184 (Case #91-252-A), the previous County Review Group Comments are applicable.

For Item 330, this site must be submitted through the minor subdivision process for review and comments.

> Robert Bowling ROBERT W. BOWLING, P.F., Chief Developers Engineering/Division

RWB:s

may lot 4/ 346-SPH

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner

DATE: April 22, 1991

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Hereford Volunteer Ambulance, Item No. 325 Association, Inc.

In reference to the petitioner's request, staff offers the following comments:

- Staff supports the applicant's request provided that the area used for training operations be screened.

- The petitioner shall submit a landscape plan to the Baltimore County landscape planner. Any such plan shall be approved by the deputy director in the Office of Planning and Zoning. Subsequent to approval by the Office of Planning and Zoning, the petitioner shall file a plan with the Zoning Office to ensure that it becomes a part of the official file. Said plan shall include two 2-1/2 caliper red oaks and evergreens at 3' in height.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM325/ZAC1

Date: $\frac{4}{100} - \frac{1}{100} - \frac{1}{100} = \frac{1}{100}$

Zoning Commissioner for Baltimore County County Office Building 111 Chesapeake Avenue Towson, Maryland 21204

> Re: Addition to Hereford Volunteer Ambulance Association Building

Dear Sir:

I understand that Hereford Volunteer Ambulance Association wishes to add a 40' x 60' bay and classroom to their existing building at 901 Monkton Road and that the Association is asking for a special hearing for the addition in order to comply with zoning regulations.

I am familiar with the Association and the vital services they provide to our community. I know they need the extra space to better serve our emergency medical needs.

I live in the area of the station and I am totally in favor of the zoning change requested.

I request that the change be granted.

Very truly yours,

barol frece 752 /1/00 21 ton /10 21/11 Name:

SEILAND AND IEDNORSKI, P. A. ATTORNEYS AT LAW

CHARLES A. JEDNORSKI DONALD M. BARRICK J. MICHAEL RECHER J. NEIL LANZI

SUITE 204 25 WEST CHESAPEAKE AVENUE POST OFFICE BOX 5404 TOWSON MARYLAND 21204

JOHN O. SEILAND OF COUNSEL

(301) 321-8200 FAX NO. (301) 296-6947

March 4, 1991

Mr. J. Robert Haines Zoning Commissioner for Baltimore County 111 West Chesapeake Avenue Towson, Maryland 21204

> Re: Hereford Volunteer Ambulance Association 901 Monkton Road Item No.: 325

Dear Mr. Haines:

This law firm represents the Hereford Volunteer Ambulance Association. You may recall writing an opinion letter concerning their proposed addition to the existing building. Recently I filed a Petition for Special Hearing to amend the previously approved site plan. I am now enclosing a self-explanatory letter from the President of the Association requesting an expedited hearing.

Thank you very much for your attention to this matter.

Very truly yours,

J. Neil Lanzi

JNL:kf

Enclosure cc: Gwen Stephens

HEREFORD E.M.S./RESCUE

P.O. Box 262 Monkton, Maryland 21111 Telephone (301) 887-1935

91.346-514

Mr. J. Robert Haines Zoning Commissioner for Baltimore County Baltimore County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

Re: Hereford Voluntary Ambulance Association

Dear Mr. Haines:

At the bequest of Mr. Lanzi, the attorney representing Hereford Voluntary Ambulance Association in the matter of a special hearing, I am requesting that the matter be set as expeditiously as possible. As President for the Association I would like to explain to you our needs to move this project as quickly as possible.

Hereford Voluntary Ambulance Association provides volunteer emergency medical service and rescue activities to the northern Baltimore County area. Our service area covers one hundred forty (140) square miles for emergency medical services and two hundred (200) square miles for rescue services. At the present time we have three pieces of equipment but only two bays in our building.

We are in the process of obtaining a loan from the County Loan Fund that will allow the construction of a third bay and a classroom area to be used in training purposes of our personnel.

The third piece of equipment that we use in our work is currently sitting outside in the weather. This is not conducive to longevity when dealing with emergency medical equipment.

"Get To Know Us, Before You Need Us"

Mr. J. Robert Haines March 1, 1991 Page 2

91-346-594

We have a very cooperative builder who assures us that he will expedite the program in every way possible. At the present time he is in a holding pattern.

Any effort your office can expend to expedite the hearing would better serve the people of northern Baltimore County in our ability to provide emergency medical and rescue services.

On behalf of the Association I am asking you to schedule this hearing as soon as possible so that we can provide proper protection to our vital equipment. Thank you for your consideration in this matter.

Very truly yours,

CAJ:kf



· Charioxex

Honorable Louis L. Goldstein Comptroller of the Treasury Goldstein Treasury Building Annapolis, Maryland 21404

Dear Comptroller Goldstein:

Your letters of April 22, 1986, to the Governor and me concerning access from the proposed Hereford Volunteer Ambulance Association onto Maryland Route 138 have been reviewed by the State Highway Administration.

Evidently, there has been a misunderstanding. In December 1985, the State Highway Administration requested Baltimore County to hold the Building Permit in abeyance until the problem of access was resolved. The major part of the problem involved the cost associated with the construction of an acceptable entrance. Recognizing that this is a non-profit organization, but at the same time recognizing its responsibilities to the traveling public, the State Highway Administration offered two options to Mr. William J. Schmalzer, President of the Hereford Volunteer Ambulance Association.

OPTION 1 - Eliminate direct access onto Maryland Route 138, and gain access onto the existing County road. Under this option, the Ambulance Company was not required to do any work on Maryland Route 138. However, if the County in the issuance of a permit requires that the County road intersection at Maryland Route 138 be improved, then the Ambulance Company or Baltimore County will be required to improve the intersection.

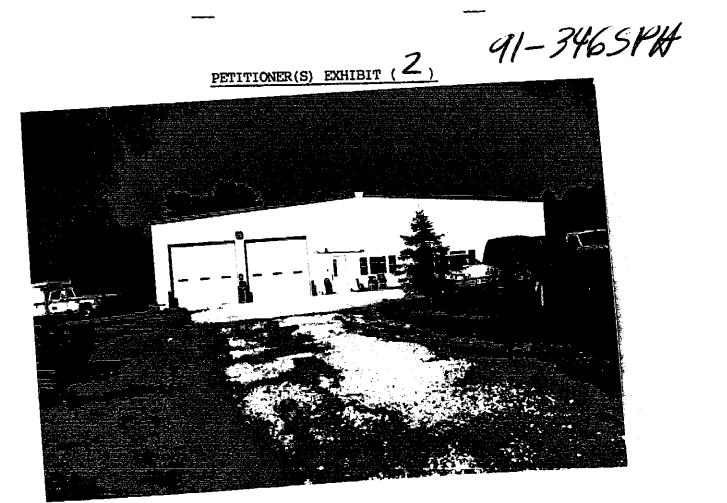
OPTION 2 - If direct access is required onto Maryland Route 138, the State Highway Administration agrees to reduce the limits and specifications of work originally required. This minimum work would include paving of the entrance and the required deceleration lane. Normal curbing and acceleration lane would not be required.

My telephone number in (301) 859-7397 Telephone TTY For The Deef (301) 859 - 7227 Past Office Box \$755, Beitimere-Washington International Airport, Maryland . 21249-0755

PLEASE PRINT CLEARLY	PROTESTAN	T(S) SIGN-IN SHEET
THOMAS E	NAME ENCODE	ADDRESS 903 MONKTON RD MONICTON MP. ZIII)
	 	

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
when A. Johnson	Dente 204 24 W. Cherry Park Anna
mesor Harelous VI Act Asia.	1800 as 8 2436-
ul W Madigan Pers.	4333 Rossville Block
ladique Contractanto me	Back. Md 21737





PEHIIONER'S 7-3465PH Date: 7-13-91

Zoning Commissioner for Baltimore County County Office Building

111 Chesapeake Avenue Towson, Maryland 21204

Re: Addition to Hereford Volunteer Ambulance Association Building

Dear Sir:

I understand that Hereford Volunteer Ambulance Association wishes to add a 40° x 60° bay and classroom to their existing building at 901 Monkton Road and that the Association is asking for a special hearing for the addition in order to comply with zoning regulations.

I am familiar with the Association and the vital services they provide to our community. I know they need the extra space to better serve our emergency medical needs.

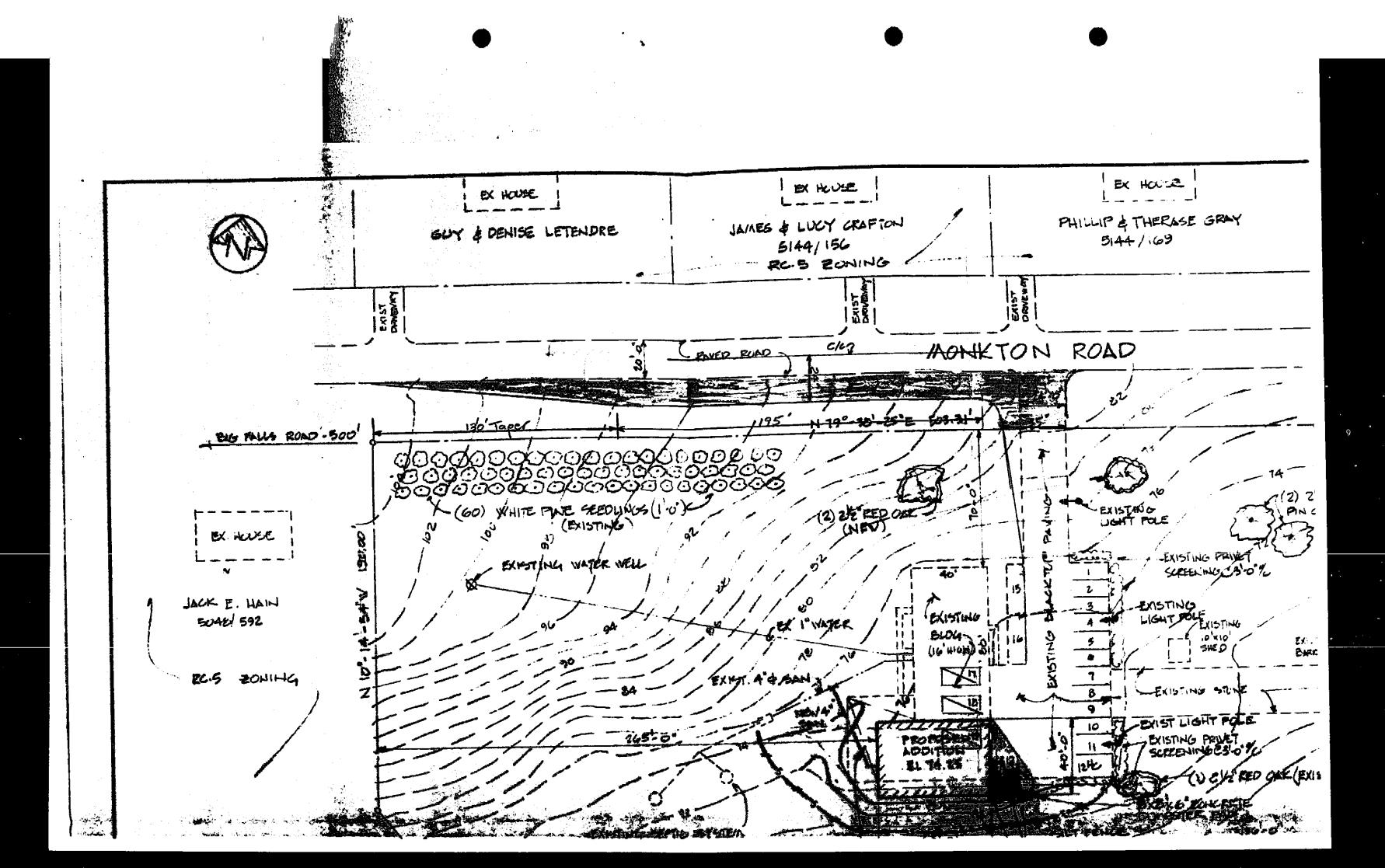
I live in the area of the station and I am totally in favor of the zoning change requested.

I request that the change be granted.

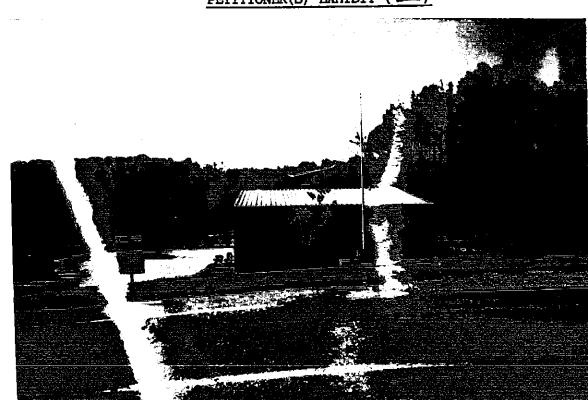
Very truly yours,

Marlene Robinson Address:

1031 montation Road montation, md. 21111

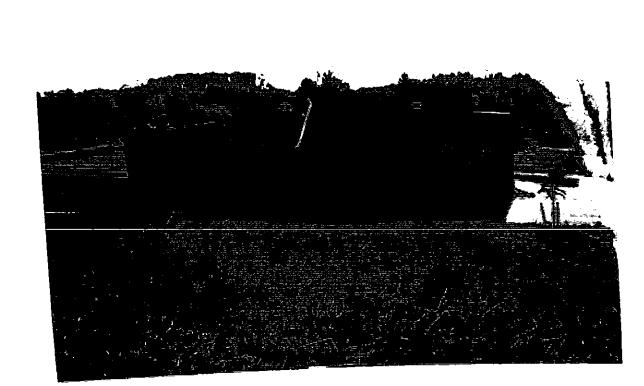


91-3465PH



91-3465PH





PETITIONER(S) EXHIBIT (4) 41-3465PH



